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To:

Berggren Oy AB
P.O. Box 16
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FINLAND

BERGGREN OY AB WRITTEN OPINION OF THE
INTERNATIONAL PRELIMINARY
EXAMINING AUTHORITY

17-05-2004

(PCT Rule 66)

FR. 10.7.2004 ✓

Date of mailing
(day/month/year)

12-05-2004

Applicant's or agent's file reference
BP103420

REPLY DUE

within 60 days from
the above date of mailing

International application No.

PCT/FI 2002/000645

International filing date (day/month/year)

22-07-2002

Priority date (day/month/year)

International Patent Classification (IPC) or both national classification and IPC

H04L 29/06, G06F 17/27, H04L 12/58

Applicant

NOKIA CORPORATION ET AL

1. ☐ The written opinion established by the International Searching Authority:

☒ is

☐ is not

considered to be a written opinion of the International Preliminary Examining Authority.

2. This First (first, etc.) opinion contains indications relating to the following items:

☒

Box No. I Basis of the opinion

☐

Box No. II Priority

☐

Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

☐

Box No. IV Lack of unity of invention

☒

Box No. V Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

☒

Box No. VI Certain documents cited

☐

Box No. VII Certain defects in the international application

☐

Box No. VIII Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(e).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4bis. For an informal communication with the examiner, see Rule 66.6. For an additional opportunity to submit amendments, see Rule 66.4.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary report on patentability (Chapter II of the PCT) must be established according to Rule 69.2 is:

22-11-2004

Name and mailing address of the IPEA/SE

Patent- och registreringsverket

Box 5055

S-102 42 STOCKHOLM

Facsimile No. 46 8 667 72 88

Authorized officer

Roger Bou Faisal /itw

Telephone No. 46 8 782 25 00

Form PCT/IPEA/408 (cover sheet) (January 2004)

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

RECEIVED
15 OCT 2004

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Applicant's or agent's file reference BP103420/TKO		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/FI2002/000645	International filing date (day/month/year) 22-07-2002	Priority date (day/month/year) ---	
International Patent Classification (IPC) or national classification and IPC H04L 29/06, G06F 17/27, H04L 12/58			
Applicant NOKIA CORPORATION ET AL			

- This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
- This REPORT consists of a total of 5 sheets, including this cover sheet.
- This report is also accompanied by ANNEXES, comprising:
 - ☐ (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:
 - ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
 - ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
 - ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

- This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input checked="" type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 20-02-2004	Date of completion of this report 08-10-2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer Roger Bou Faisal /LR Telephone No. +46 8 782 25 00

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2002/000645

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished

pages* _____ as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to the sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/FI2002/000645

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1-34</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-34</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-34</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Documents cited in the International Search Report:

D1: US 6363140, B1
D2: WO 02056225, A1
D3: WO 02056225, A1
D4: US 2002035501, A1
D5: WO 9965256, A2
D6: US 2002076024, A1

The object of the invention is to solve the problem of presenting, to a mobile user, the most important mails first. This is achieved by making a prearranged list based on statistical analysis of the linguistic contents of the mails.

Document D1 is considered to represent the closest prior art. In D1, dialable user profiles are established via a software user agent in a telecommunications system for filtering mixed-media messages, including electronic mail and voice mail. According to the software agent of the invention, the user creates stores and retrieves a plurality of user profiles which indicate how inbound messages are to be sorted and prioritized. The user selects and invokes a particular profile which is appropriate to a given situation, such as remote computer dial up, pay phone dial up, cellular dial up, etc. The user agent resides in a message server of the data communication network and interprets commands from the user via remote terminal or touch-tone pad to retrieve and apply the requested profile (Abstract; column 1, line 11- column 2, line 22 and claims 1-13, 25,34).

The invention according to independent claim 1 differs from D1 by the mobile station indicating the electronic mail message

.../...

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

by a level as to a preference of the electronic mail message for a user of the mobile station. This solves the problem of pre-arranging a priority list for the messages.

Also, D1 fails to disclose that data information indicating the preference of the email is transmitted between the mobile station and the network server. Yet furthermore, D1 fails to disclose that said data information is processed for resulting in an order preference for emails for the user.

The technical effect of these differences is that the user of the mobile station is able to prioritise email messages, the prioritising being based on the emails itself, and therefore the user being able to smoothly face the emails by his mobile station.

It is mentioned in D1, that there are custom user profiles created for filtering and prioritising messages. Also mentioned that the subscriber might be using a cellular access (see figure 1.B).

However, the invention according to D1 is not considered to solve the problem of presenting, to a subscriber, the most important ("prioritised") messages first based on a profile stored in a profile databases, in the way claimed for by the independent claim 1.

The invention according to independent claim 1 is novel, is considered to involve an inventive step. The invention is industrial applicable.

D2 discloses a system, a method and a computer-readable recording medium for collecting decisions of recipients using an electronic message having a response function, which transmit an electronic message including questions to a plurality of recipients, receive response data automatically generated by expressing opinions of the recipients, and statistically analyze the received data. The electronic message is formed in an electronic mail to be readable by a mobile communication terminal or a computer terminal.

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
US 2002120600 A1, E	29.08.02	26.02.01	26.02.01
EP 1227408 A2, E	31.07.02	25.01.02	26.01.01

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
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